




**TESTIMONY OF BILL GREGGS**
**ON BEHALF OF THE**
**CONSUMER SPECIALTY PRODUCTS ASSOCIATION,**
**GROCERY MANUFACTURERS ASSOCIATION,**
**AND THE SOAP AND DETERGENT ASSOCIATION**
**BEFORE THE SUBCOMMITTEE ON COMMERCE, TRADE AND CONSUMER PROTECTION**

I would very much like to thank the Chairman, Ranking Member and Members of the Subcommittee for inviting me to testify before you today. My name is Bill Greggs and I am a chemical engineer whose field of expertise over the last several decades has been global chemical policy supporting the development and production of safe and sustainable consumer products. I am testifying on behalf of the Consumer Specialty Products Association (CSPA), Grocery Manufacturers Association (GMA), and The Soap and Detergent Association (SDA). These three organizations primarily represent the processors and users of chemical substances, which they formulate into a broad array of consumer products.

The members of CSPA, GMA, and SDA are committed to manufacturing and marketing safe and innovative products that provide essential benefits, including important public health benefits, to consumers while protecting human health and the environment. Product safety is the foundation of consumer trust and the consumer products industry devotes substantial resources to achieving this goal. To that end, we support modernization of the Toxic Substances Control Act (TSCA) and continue to urge Congress to establish a stakeholder process to develop the most comprehensive chemicals management policy in the world. All stakeholders - Congress, regulators, downstream users, raw material suppliers, retailers, environmental, consumer and animal welfare and labor groups - should work together to develop sound public policy on this complex issue.

Among the issues that these three organizations believe should be addressed as part of any effort to modernize TSCA is the development of a mechanism by which EPA will prioritize existing chemicals for review and assessment – the focus of today's hearing. A prioritization process clearly established by Congress can provide the means to more efficiently address important policy concerns such as children's health and chemical exposures revealed through biomonitoring and begin the process of restoring public confidence in the U.S. chemicals management system.

A priority setting process developed by Congress *must* be risk-based, taking into consideration both a chemical's hazards and potential exposures. Chemicals identified as the high priorities should be those substances with *both* the highest hazards and the highest potential exposures. Although additional chemicals will warrant assessment and possible control, a program that is workable by EPA requires a selection of those chemicals that initially warrant further assessment to ensure meaningful protection of human health and the environment. Therefore, a chemical with high hazards and low potential exposures would be a lower priority, as would be a chemical with high potential exposures and low hazards.

CSPA, GMA, and SDA have collaborated with various industry representatives on the development of a risk-based and efficient tool that EPA can use to prioritize chemical substances in a timely manner under a modernized TSCA. As such, we recommend the use of a framework which accounts for increasing levels of hazard on one axis and increasing levels of potential exposure on the other axis. The displayed exhibit, illustrates conceptually how hazard and exposure information can be integrated for priority setting. The highest hazard and highest potential exposure chemicals (identified in the lower right corner) would be the highest priority for further assessment; while the lowest hazard and lowest potential exposure chemicals (identified in the upper left corner) would be the lowest priority for further review by EPA. Chemicals would be given numerical rankings providing better granularity than a "Yes" or "No" approach as to whether a chemical is a "priority" substance.

As represented in this illustration, increasing levels of hazards are on the vertical axis. We suggest that the appropriate hazard characteristics that EPA consider in this priority setting process should be human and environmental toxicology information, such as whether or not a chemical has been identified as a carcinogen, reproductive or developmental toxin or as a persistent, bioaccumulative, and toxic chemical (PBT) by programs such as those developed by EPA, the National Toxicology Program, the International Agency for Research on Cancer, or by the European Chemical Substances Information System.

Appropriate exposure indicators on the horizontal axis should include: the use pattern of a chemical (i.e., whether a chemical is used in a closed system, in transport or industrial use, in a consumer or commercial product, or in a product intended for use by children); its biomonitoring findings according to the Centers for Disease Control and Prevention (CDC); industrial releases as reported through the Toxics Release Inventory (TRI); and environmental monitoring information, such as whether the chemical is found in water or air.

To reiterate, the hazards and potential exposures must both be taken into consideration in this process. One single factor, whether it is based on hazards or potential exposures, is not sufficient for a chemical to be deemed as a high "priority" chemical. Selecting chemicals with either hazard or exposure will result in everything being a priority. If everything is a priority, then nothing is a priority.

This approach is easy to adopt for the Agency and able to be done in a reasonable timeframe when the hazard and exposure information is readily available to EPA. In the instances where this information is unavailable to EPA, the Agency should have the authority to require its submission from the appropriate industry representatives in a timely manner, allowing for the chemical to then be ranked.

Additionally, the priority setting process must allow for stakeholders to review and comment. There must be an opportunity for interested parties to provide information enabling a more informed decision or to remedy erroneous results of the priority setting process. This is a critical component Congress must include that will significantly improve the results of this very important exercise.

Done properly, this priority setting process would rank all chemicals from highest to lowest in a relatively short period of time, considering both human and environmental health impacts and the potential for exposure. Additionally, it is a dynamic tool, allowing EPA to update a chemical's priority, rather than only as a one-time assessment. This is especially valuable when new information becomes available regarding the hazard or exposure pattern of a chemical substance, which may force it into a higher prioritization status.

With no comprehensive priority setting mechanism in TSCA for over thirty years, there is an understandably high interest in EPA identifying those chemicals of highest concern and beginning their assessments immediately. While the complete priority setting process will take EPA some time to accomplish, we encourage Congress to develop an additional mechanism that will enable EPA to identify the chemicals of highest priority for immediate assessment.

As such, we recommend a process that would require EPA to screen the data from the most recent Inventory Update Rule (IUR) submissions to identify chemicals that have the highest hazards (i.e., carcinogen, reproductive or developmental toxin or PBTs) *and* highest potential exposures (i.e., chemicals that have been measured in the CDC's biomonitoring program or chemicals in products intended for use by children). Our analysis indicates that this process would identify approximately 50 to 100 chemicals that could quickly move into EPA's safety assessment process while the Agency works on prioritizing the remaining chemicals in commerce through the tool I have previously described.

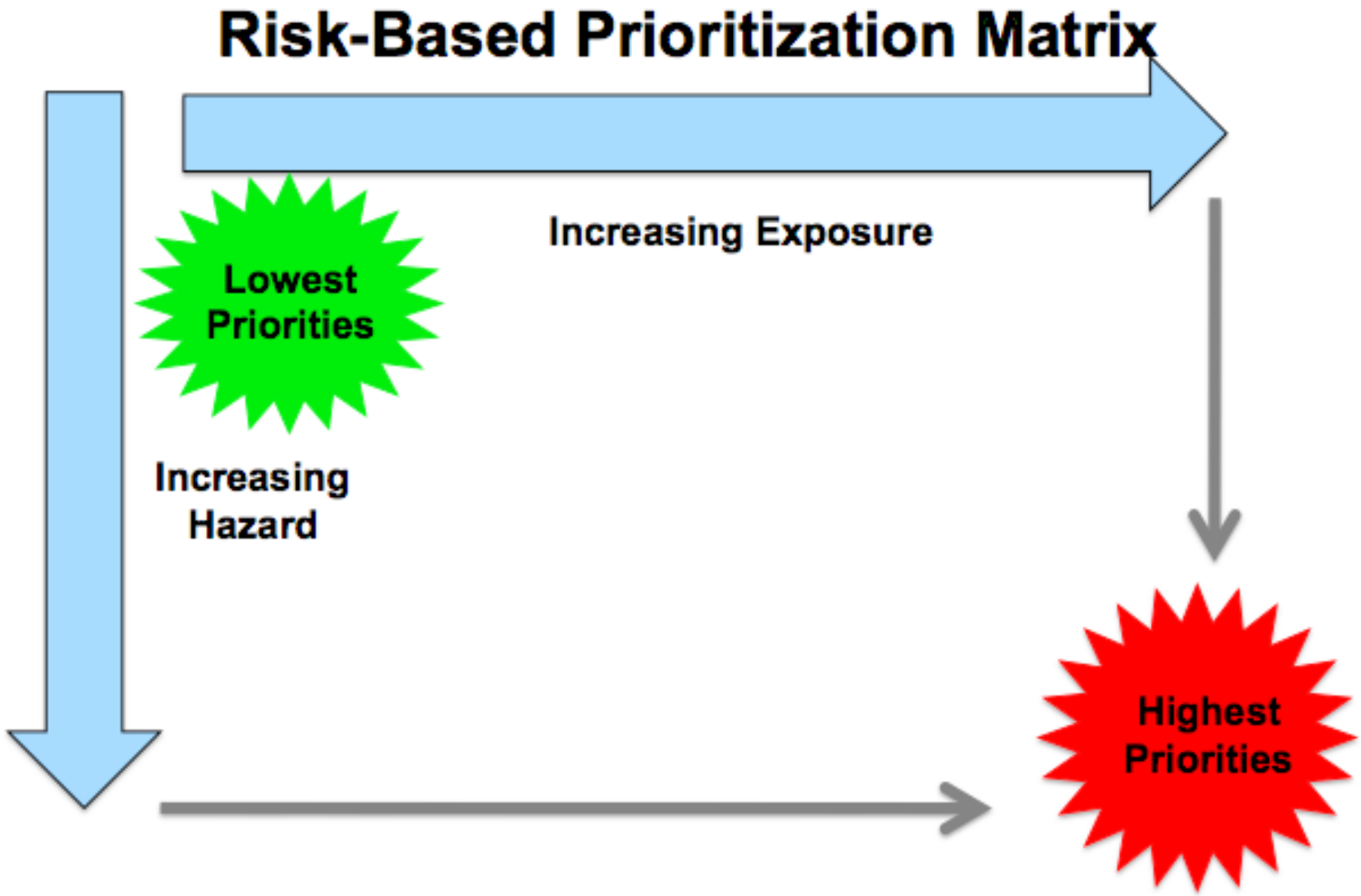
CSPA, GMA, and SDA believe that the approach that I have discussed today represents a relatively simple, straightforward, and efficient process for prioritizing chemical substances. We have discussed this approach with many industry representatives, as well as several nongovernmental organizations, and feel that this process can provide EPA with an appropriate approach to identify the highest priority chemicals for in depth assessment to ensure the protection of human health and the environment.

Mr. Chairman and distinguished members of the Subcommittee, thank you again for the invitation to testify here today. CSPA, GMA, and SDA and their members look forward to working with you all on this very important issue. In the meantime, I look forward to answering any questions you may have.

**About CSPA**
The Consumer Specialty Products Association (CSPA) is the premier trade association representing the interests of approximately 240 companies engaged in the manufacture, formulation, distribution and sale of approximately $80 billion annually in the U.S. of hundreds of familiar consumer products that help household, institutional and industrial customers create cleaner and healthier environments. Our products include disinfectants that kill germs in homes, hospitals and restaurants; candles, fragrances and air fresheners that eliminate odors; pest management products for home, garden and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used everyday. Through its product stewardship program Product Care®, scientific and business-to-business endeavors, CSPA provides its members a platform to effectively address issues regarding the health, safety, sustainability and environmental impacts of their products. For more information, please visit www.cspa.org.

**About GMA**
The Grocery Manufacturers Association (GMA) represents the world's leading food, beverage and consumer products companies. The Association promotes sound public policy, champions initiatives that increase productivity and growth and helps ensure the safety and security of consumer packaged goods through scientific excellence. The GMA board of directors is comprised of chief executive officers from the Association's member companies. The $2.1 trillion food, beverage and consumer packaged goods industry employs 14 million workers, and contributes over $1 trillion in added value to the nation's economy. For more information, visit the GMA Web site at www.gmaonline.org.

**About SDA**
The Soap and Detergent Association, the Home of the U.S. Cleaning Products Industry®, represents the $30 billion U.S. cleaning products market. SDA members include the formulators of soaps, detergents, and general cleaning products used in household, commercial, industrial and institutional settings; companies that supply ingredients and finished packaging for these products; and oleochemical producers. SDA and its members are dedicated to improving health and the quality of life through sustainable cleaning products and practices. SDA's mission is to support the sustainability of the cleaning products industry through research, education, outreach and science-based advocacy. For more information visit www.cleaning101.com.


Risk-Based Prioritization Matrix
Increasing Exposure
Lowest Priorities
Increasing Hazard
Highest Priorities